

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

**NOTICE OF NON-OPERATING BRAND SALE (COSTA BRAZIL)**

**PLEASE TAKE NOTICE** that, on August 9 and 21, 2023 (as applicable, the “Petition Date”), the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”).

**PLEASE TAKE FURTHER NOTICE** that, on September 8, 2023, the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) entered an *Order (I) Establishing Procedures Governing the Sale or Transfer of Certain De Minimis Assets and Non-Operating Brands and (II) Granting Related Relief* [Docket No. 205] the (“Order”), whereby the Bankruptcy Court authorized the Debtors to sell certain of the Debtors’ Non-Operating Brands subject to the procedures set forth therein.<sup>2</sup>

**PLEASE TAKE FURTHER NOTICE** that the Debtors propose to sell assets associated with one such Non-Operating Brand, Costa Brazil (“CB”), pursuant to the *Bill of Sale, Assignment and Agreement* attached hereto as Exhibit A (the “Bill of Sale”) to FCIP Holdco, LLC (“Purchaser”). Pursuant to the Order, the following terms summarize the terms of the proposed sale of CB pursuant to the Bill of Sale (the “CB Transaction”):

<b>Non-Operating Brand</b>	Costa Brazil
<b>Debtor Parties</b>	Amyris, Inc.; Upland 1 LLC
<b>Proposed Purchaser</b>	FCIP Holdco, LLC
<b>Proposed Purchase Price</b>	\$350,000 <i>plus</i> the Release of Claims, including but not limited to Francisco Costa and FCIP Holdco, LLC’s alleged claims for any unauthorized use of certain intellectual property rights in the commercialization of the Costa Brazil brand, as detailed in the Bill of Sale
<b>Commissions/Fees</b>	None

<sup>1</sup> A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

<sup>2</sup> Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Order.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Order, any party that desires to submit a competing bid on the assets being sold pursuant to the CB Transaction must, on or prior to November 1, 2023 at 4:00 p.m. (prevailing Eastern Time) (the “Non-Operating Brand Objection Deadline”), submit a topping bid to the proposed CB Transaction (a “Competing Bid”), including a binding agreement marked against the Bill of Sale, along with any other additional information that may be reasonably requested by the Debtors, to: Lorie Beers (lbeers@intrepidib.com), Carl Comstock (ccomstock@intrepidib.com). and Ana Alvarenga (aalvarenga@intrepidib.com), with a copy to Steven W. Golden (sgolden@pszjlaw.com).

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Order, any recipient of this notice may object to the proposed CB Transaction by the Non-Operating Brand Objection Deadline. Objections must be in writing and state with specificity the basis for such objection. If no such objections or Competing Bids are filed and/or served on or prior to the Non-Operating Brand Objection Deadline, the Debtors will be authorized to immediately consummate the CB Transaction, free and clear of all liens, claims, interests, and encumbrances, with such liens, claims, interests, and encumbrances, if any, attaching only to the sale proceeds with the same validity, extent, and priority as had attached to the purchased assets immediately prior to the CB Transaction and the Purchaser will be entitled to the protections of section 363(m) of the Bankruptcy Code.

Dated: October 18, 2023

**PACHULSKI STANG ZIEHL & JONES LLP**

*/s/ James E. O'Neill*

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